

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. 07-
v.	:	DATE FILED: September 11, 2007
DAVID MICHAEL CARTY,	:	VIOLATIONS:
a/k/a "Daytona"	:	21 U.S.C. § 841(a)(1) (distribution of
	:	cocaine base ("crack") - 2 counts)
	:	21 U.S.C. § 841(a)(1) (distribution of
	:	oxycodone - 1 count)
	:	21 U.S.C. § 841(a)(1) (possession with
	:	intent to distribute cocaine base
	:	("crack") - 1 count)
	:	21 U.S.C. § 844(a) (possession of
	:	marijuana - 1 count)
	:	18 U.S.C. § 924(c) (using and carrying a
	:	firearm during and in relation to a drug
	:	trafficking crime - 1 count)
		18 U.S.C. § 922(g)(1) (felon in possession
		of a firearm - 1 count)
		Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about March 14, 2007, in Reading, in the Eastern District of Pennsylvania,
defendant

DAVID MICHAEL CARTY,
a/k/a "Daytona,"

knowingly and intentionally distributed a mixture and substance containing a detectable amount
of cocaine base ("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 15, 2007, in Reading, in the Eastern District of Pennsylvania,
defendant

**DAVID MICHAEL CARTY,
a/k/a “Daytona,”**

knowingly and intentionally distributed a mixture and substance containing a detectable amount
of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 15, 2007, in Reading, in the Eastern District of Pennsylvania,
defendant

**DAVID MICHAEL CARTY,
a/k/a “Daytona,”**

knowingly and intentionally distributed a mixture and substance containing a detectable amount
of oxycodone, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 26, 2007, in Reading, in the Eastern District of Pennsylvania,
defendant

**DAVID MICHAEL CARTY,
a/k/a “Daytona,”**

knowingly and intentionally possessed with intent to distribute 5 grams or more, that is,
approximately 12.0 grams, of a mixture and substance containing a detectable amount of cocaine
base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B).

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 26, 2007, in Reading, in the Eastern District of Pennsylvania,
defendant

**DAVID MICHAEL CARTY,
a/k/a “Daytona,”**

knowingly and intentionally possessed a mixture or substance containing a detectable amount of
marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(D).

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 26, 2007, in Reading, in the Eastern District of Pennsylvania,
defendant

**DAVID MICHAEL CARTY,
a/k/a “Daytona,”**

knowingly used and carried a firearm, that is, an Israeli Military Industries, Desert Eagle, .45-caliber semiautomatic handgun, serial number 31302551, loaded with seven rounds of ammunition, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, possession with the intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

In violation of Title 18, United States Code, Section 924(c)(1).

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 26, 2007, in Reading, in the Eastern District of Pennsylvania,
defendant

**DAVID MICHAEL CARTY,
a/k/a “Daytona,”**

having been convicted in a court of the State of New York of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate and foreign commerce a firearm, that is, an Israeli Military Industries, Desert Eagle, .45-caliber semiautomatic handgun, serial number 31302551, loaded with seven rounds of ammunition.

In violation of Title 18, United States Code, Section 922(g)(1).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violations of Title 18, United States Code, Sections 924(c) and 922(g)(1), set forth in this indictment, defendant

**DAVID MICHAEL CARTY,
a/k/a “Daytona,”**

shall forfeit to the United States of America the firearm and ammunition involved in the commission of such offenses, including but not limited to:

- (1) an Israeli Military Industries, Desert Eagle, .45-caliber semiautomatic handgun, serial number 31302551, and
- (2) seven live rounds of ammunition.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d). _____

_____ **A TRUE BILL:**

_____ **GRAND JURY FOREPERSON**

PATRICK L. MEEHAN
United States Attorney